

APPROVED 5/20/10
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

Meeting of the Zoning Board of Appeals held on Thursday, April 15, 2010 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 PM.

MEMBERS PRESENT:

Robert F. Hannon, Chairman
Caren M. Genovese, Vice Chairman
Donald F. Clark, Secretary
Joseph A. Cappucci
Joseph P. Villano
Mary Jane Mulligan, Alternate

MEMBERS ABSENT:

Robert E. Martin, Alternate
Cheryl A. Juniewicz, Alternate

TOWN PERSONNEL:

Alan A. Fredricksen, Land Use Administrator
Arthur Hausman, Zoning Enforcement Officer

OTHERS PRESENT:

Mary Lee Rydzewski, Public Stenographer
Sandi Lion, Clerk

AGENDA:

Mr. Hannon, Chairman, opened the meeting at 7:35 PM introduced the members of the Board, the Town staff, the stenographer and clerk. He then explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur. Mr. Hannon stated that application #09-15, 48 Giles Avenue, and #10-07, 77 Fitch Street, are postponed to the May 20, 2010 meeting.

1. #A2W-10-04 Application of Mildred Antonetti, Owner, Darcy Salemme, Applicant, relative to 114 Standish Avenue, (Map 53, Lot 13), seeking a waiver of the A2 survey application requirement.

Mr. Hannon recused himself from this application and Mrs. Mulligan sat.

Mrs. Darcy Salemme, applicant, presented the application to waive the A2 survey application requirement to build a handicap ramp for her sick, elderly father. She distributed drawings of the proposed ramp. Mr. Fredricksen, Land Use Administrator and Mrs. Salemme responded to the Board's questions.

PUBLIC HEARINGS:

1. #09-15 Application of Locust Realty Associates, LLC, Owner and Applicant, relative to 48 Giles Avenue, (Map 28, Lot 13), Appeal of a Cease & Desist Order of the Zoning Enforcement Officer. IG-80 Zoning District.

This application is postponed to the May 20, 2010 meeting.

2. #10-07 Application of Mark Crilly, Applicant, Kenneth Rando, Owner, relative to 77 Fitch Street, (Map 17, Lot 43), per Section 2.1.1.9, requesting a front yard variance of 30' to permit a front yard setback of 20' where 50' is required. R-20 Zoning District.

This application is postponed to the May 20, 2010 meeting.

DELIBERATION SESSION:

1. #A2W-10-04 Application of Mildred Antonetti, Owner, Darcy Salemme, Applicant, relative to 114 Standish Avenue.

Mr. Cappucci moved to approve the application; Mr. Clark seconded the motion. The Board voted as follows:

Genovese – aye Clark – aye Cappucci - aye Villano – aye Mulligan – aye

2. #10-06 Application of Timothy J. Lee, Esq., Applicant, Woodmere Development, LLC, Owner, relative to 320 Middletown Avenue, aka 190 Montowese Avenue.

Mrs. Genovese moved to approve the application; Mr. Clark seconded the motion.

Mrs. Genovese then amended her motion to include the following:

1. The variance only applies to the six (6) existing, unroofed decks as they are currently constructed on Building #2, #3 & #4, and would specifically exclude any construction at Building #5.
2. The variances are for the following distances:
 - Building #2 – North deck – 10.5'
-South deck – 11.3'
 - Building #3 – North deck – 9.4'
-South deck – 9.9'
 - Building #4 – North deck – 8.7'
-South deck – 7.5'

3. All distances and construction are as indicated on the submitted A-2 survey by Martinez Couch & Associates, LLC dated 03-11-10 and entitled "Improvement Location Survey."
4. No expansion of the existing decks is permitted without the approval of the Zoning Board of Appeals.

Mr. Clark seconded the amendment. The Board voted on the motion to amend as follows:

Hannon – aye Genovese – aye Clark – aye Villano – aye Mulligan – aye

The Board then voted on the original motion as follows:

Hannon – aye Genovese – aye Clark – aye Villano – aye Mulligan – aye

In approving the application, the Board stated the following:

1. The topography of the property in the rear of Building #2, #3 & #4 is the hardship.
2. The residents on Sherman Terrace are not opposed to the existing decks.

OTHER: None

CEASE AND DESIST ORDERS:

Mr. Arthur Hausman, Zoning Enforcement Officer discussed recent violations with the Board.

19 Country Way – Anthony Acanfora

This violation is in the process of being resolved.

53 Susan Lane – Josh Lidsky

Mr. Lidsky spoke regarding his fence violation and asked questions pertaining to fence regulations. Mr. Fredricksen, Land Use Administrator, responded to Mr. Lidsky's questions and stated that he would be willing to meet with him to further discuss this issue.

MINUTES:

March 18, 2010

Mr. Clark moved to approve the minutes of the March 18, 2010 meeting; Mrs. Genovese seconded the motion; the Board members voted as follows:

Hannon – aye Genovese - aye Clark – aye Villano – aye Mulligan – aye

CORRESPONDENCE: None

ADJOURN:

There being no further business, Mr. Cappucci moved to adjourn; Mr. Villano seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:05 PM.